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C O U N S E L O R S   A T   L A W

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September 14, 2005

**VIA FACSIMILE and FEDERAL EXPRESS**

Mark D. Schuman, Esq.  
Merchant & Gould  
3200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402

Re: Glaxo Group Limited v. Teva Pharmaceuticals USA, Inc. et al.,  
Civil Action No. 04-171-KAJ

Dear Mark:

I write in view of the upcoming status conference with Judge Jordan to address what have become serious issues with Teva's failure to meet its discovery obligations. There have now been two discovery teleconferences with Judge Jordan, on February 25, and June 30, 2005, wherein Teva was ordered to comply with certain of Glaxo's discovery requests. Teva, however, has still not responded fully to Glaxo's discovery requests or complied with Judge Jordan's orders.

For example, Teva has not produced (i) the files or documents of Subrata Mazumder, the chief formulator of Teva's Ranitidine Oral Syrup; (ii) the development, batch, and stability records for the various ranitidine oral syrup formulations tested by Novopharm and Teva; (iii) the ranitidine oral syrup development report and (iv) the ranitidine oral syrup preformulation information package. These are just some of the many documents that were requested and ordered to be produced but that Teva has failed to produce. Teva's non-responsiveness is unexcused, and Glaxo will seek further relief from the Court, including, but not limited to, sanctions as permitted under Rule 37, Fed. R. Civ. P.

Glaxo also awaits updated discovery from Teva, especially the continuing stability testing and data from Teva's ANDA batch of Ranitidine Oral Syrup and any relevant correspondence with the FDA not previously produced. Teva has an obligation to update this information under Rule 26. We again request immediate production of the updated stability testing and data from Teva's ANDA batch of Ranitidine Oral Syrup.

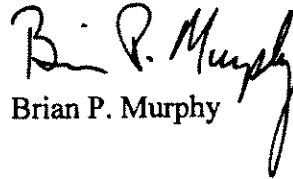
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**Morgan Lewis**  
COUNSELORS AT LAW

In view of Teva's discovery deficiencies, Glaxo proposes that the dates for submission of expert reports and the date for the close of discovery be extended per the enclosed proposed Stipulation. This minimal extension will permit the experts to consider the developing fact testimony without impacting the remainder of the schedule. Please let me know if you will agree to this extension and sign the enclosed Stipulation.

Due to the upcoming deadlines and despite Teva's document production deficiencies, Glaxo will proceed with the deposition of Mr. Subrata Mazumder on October 7, 2005 and Real Duteau on October 14, 2005. Glaxo reserves its right to reexamine these, and any other witnesses, at Teva's expense if Teva produces any additional documents after their depositions. I enclose the appropriate deposition notices.

Very truly yours,



Brian P. Murphy

Encs.

cc: Francis DiGiovanni, Esq. (via Federal Express)  
Josy W. Ingersoll, Esq. (via Federal Express)